

IFW



I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 27, 2004.

Janice Capuani

Name

Janice Capuani

Signature

October 27, 2004

Date of Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Paul J. Walsh  
Serial No.: 10/694,416  
Filed: October 27, 2003  
For: Apparatus for Maximum Work  
Examiner: William E. Tapolcai  
Group Art Unit: 3744

### RESPONSE TO THE RESTRICTION REQUIREMENT SET FORTH IN THE OFFICE ACTION DATED SEPTEMBER, 29, 2004, AND ELECTION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

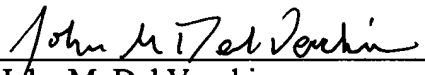
1. This is a response to the Office Action dated September 29, 2004, in which the Examiner made a four way restriction requirement as follows:

- i) claims 1-12, and 26-28;
- ii) claims 13-15;
- iii) claims 16-24; and
- iv) claim 25.

2. Applicant elects the first set of claims for examination at this time, that is, claims 1-12, and 26-28.

3. Applicant respectfully requests favorable action on this response.

Respectfully submitted,

  
\_\_\_\_\_  
John M. Del Vecchio  
Reg. No. 42,475

Hodgson Russ, LLP  
One M&T Plaza, Suite 2000  
Buffalo, New York 14203  
(716) 848-1644  
jdelvecc@hodgsonruss.com

BFLODOCS 990757v1